



SAN LUIS OBISPO COUNTY

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# DEPARTMENT OF PLANNING AND BUILDING

## Public Facility Fee Deferral Road Improvement Fee Deferral Basic Information

**Date:** September 24, 2011

**To:** Interested Persons

**From:** Department of Planning & Building

**Subject:** Public Facility and Road Improvement Fees may now be deferred

### Purpose

The County of San Luis Obispo desires to encourage economic development within the County, particularly programs that will result in long-term commitments to the benefit of all residents. The Board of Supervisors has identified that deferring the time for payment of certain Development Impact Fees may assist in achieving this goal.

**What this means:** You may still pay fees at the time of permit issuance. The alternative is now available allowing you to defer most of the fees to final building inspection, according to an agreement approved by the County.

### Fees Eligible for Deferral

The following County Development Impact Fees are eligible for a deferral under the terms and conditions of this program:

- Public Facility Fees (PFF), collected by the Department of Planning & Building.
- Road Improvement Fees (RIF), collected by the Public Works Department, for the fee areas of Los Osos, North Coast (Cambria), San Luis Bay (Avila Beach), South County (Nipomo), San Miguel and Templeton. The deferral program does not apply to those subdivisions having an existing RIF Agreement.

### Projects Eligible for Deferral

The following projects are eligible for a deferral under the terms and conditions of this program:

- Single and Multi-Family Residential projects.
- Non-Residential Commercial, Office, and Industrial projects.
- Mixed Use projects and any other project required to pay Impact Fees.

## **Deferral Period**

Deferred Fees shall be due and payable in full prior to a request for final inspection under a building permit. No temporary occupancy will be allowed on projects.

## **Other Requirements for All Projects**

- Applicants for a Fee Deferral must have an approved project, defined as a project that has received final discretionary action.
- All conditions of approval applicable at the time of permit issuance shall have been met.
- The applicant shall have no unpaid balances due to the County for the project or any other project or purpose.
- All payments of taxes and assessments on the property shall be current.
- All deferred fees will be paid at the rate in effect at the time of payment.
- No building permits will be issued until all fees are paid; OR a fee deferral agreement has been executed with the County.
- The fee deferral program will expire on September 30, 2014, at which time fee collection methods shall revert back to being due prior to permit issuance.

## **Application Requirements**

When applying for the program, the following documents must be submitted:

1. A completed Fee Deferral Application.
2. Current Preliminary Title Report or Lot Book Guarantee (including a legal description of the property).
3. A brief description of the project: This description should include information such as square footage of building; proposed use of the building, if known; whether the business is relocating, expanding, or starting-up; whether building will be purchased, leased, or subleased; the project development timeline; and other available project information.
4. Organizational documents (If the property owner is other than an individual, the applicable organizational documents such as a copy of limited partnership agreement or articles of incorporation.)

## **Important Considerations**

- Get a fee estimate: You will need to develop a clear idea of the type and size of your building proposals. Planning Department Permit Technicians can estimate Public Facility Fees, while Road Fees can be obtained from the Public Works Department.
- Fee deferral may not be desirable for every project. In some cases, fees may be lower than costs to make a deferral application and to record agreements.
- A 20% down payment of fees and a \$250 administration fee is required 'up front' at permit issuance. Additional Title Company costs should be anticipated if you need to obtain a more recent Preliminary Title Report or Lot Book Guarantee.
- An approved application and agreement will be recorded in the Office of the County Recorder as a lien against the property for the payment of the Development Impact Fees, and shall be enforceable against successors in interest to the owner or lessee.
- Where applicable, applicants shall secure written agreements, from all prior-existing lienholders to the subordination of those prior-existing liens to the County's interest in the Agreement.

## **Next Steps**

- Evaluate your fee estimates against the above costs.
- Obtain an application, fill out and return with your title documents.
- If necessary, ask for a sample agreement.

## **For more information**

- Public Facilities Fees: Department of Planning & Building (805) 781-5600
- Road Improvement Fees: Public Works Department (805) 781-5252